

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

Page 1 of 2
Docket No. NEX87/PCT-US

As a below named inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name.

I believe I am the sole, original and first inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **HIGH AFFINITY TGF β NUCLEIC ACID LIGANDS AND INHIBITORS**, the specification of which:

- ☐ is attached hereto.
☒ was filed on **JULY 26, 2000** as United States Application Serial No. _____ or PCT International Application Number **PCT/US00/20397** and was amended on January 11, 2002 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 USC §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Number: _____ Country: _____ Date Filed: (day/mo/yr) _____ Priority not claimed ☐

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Application Number: _____ Filing Date: (mo/day/yr) _____

I hereby claim the benefit under 35 USC §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 USC §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Number: _____ Filing Date: (mo/day/yr) _____ Status - patented, pending, abandoned
09/363,939 07/29/1999 Pending

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Barry J. Swanson, #33,215	Rosemary Kellogg, #39,726	James L. Brown, #48,576
Thomas D. Bratschun, #32,966	Darla G. Yoerg, #48,053	Steven N. Hird, #P-51,112
Margaret M. Wall, #33,462	Dan Shifrin #34,473	Diane Cruz, #33,960
Max D. Hensley, #27,043	Mark Bosse, #35,071	
CUSTOMER NO: 25,871		
Address all telephone calls to:	Barry J. Swanson at telephone number 303-268-0066	
Address all correspondence to:	Barry J. Swanson	
	Swanson & Bratschun, L.L.C.	
	1745 Shea Center Drive, Suite 330	
	Highlands Ranch, Colorado 80129	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): **NIKOS PAGRATIS**

Inventor's signature: _____ Date: _____
Residence: Boulder, Colorado Citizenship: US
Post Office Address: 5813 North Orchard Creek Circle
Boulder, Colorado 80301

☒ Additional inventors are being named on separately numbered sheets attached hereto

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

Page 1 of 2
Docket No. NEX87/PCT-US

As a below named inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name.

I believe I am the sole, original and first inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **HIGH AFFINITY TGFB NUCLEIC ACID LIGANDS AND INHIBITORS**, the specification of which:

- ☐ is attached hereto.
☒ was filed on **JULY 26, 2000** as United States Application Serial No. _____ or PCT International Application Number **PCT/US00/20397** and was amended on January 11, 2002 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 USC §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Number: _____ Country: _____ Date Filed: (day/mo/yr) _____ Priority not claimed ☐
☒ hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Application Number: _____ Filing Date: (mo/day/yr) _____
☒ hereby claim the benefit under 35 USC §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 USC §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Number: _____ Filing Date: (mo/day/yr) _____ Status - patented, pending, abandoned
09/363,939 07/29/1999 Pending
☒ hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Barry J. Swanson, #33,215
Thomas D. Bratschun, #32,966
Margaret M. Wall, #33,462
Max D. Hensley, #27,043
CUSTOMER NO: 25,871
Address all telephone calls to:
Address all correspondence to:

Rosemary Kellogg, #39,726
Darla G. Yoerg, #48,053
Dan Shifrin #34,473
Mark Bosse, #35,071

James L. Brown, #48,576
Steven N. Hird, #P-51,112
Diane Cruz, #33,960

Barry J. Swanson at telephone number 303-268-0066
Barry J. Swanson
Swanson & Bratschun, L.L.C.
1745 Shea Center Drive, Suite 330
Highlands Ranch, Colorado 80129

11

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): **NIKOS PAGRATIS**

1-00 Inventor's signature: [Signature]
Residence: Boulder, Colorado
Post Office Address: 5813 North Orchard Creek Circle
Boulder, Colorado 80301 **CO**

Date: 1/20/02
Citizenship: US

☒ Additional inventors are being named on separately numbered sheets attached hereto

Full name of second joint inventor (given name, family name): MICHAEL LOCHRJE

2-0 Inventor's signature: _____

Date: _____

Residence: Hayward, California CA
Post Office Address: 3374 Creekview Court
Hayward, California 94541-3581

Citizenship: US

Full name of third joint inventor (given name, family name): LARRY GOLD

3-0 Inventor's signature: _____

Date: _____

Residence: Boulder, Colorado CO
Post Office Address: 1033 5th Street
Boulder, Colorado 80302

Citizenship: US

S:\Client Folders\NeXstar\Nex87\PCT\US\Declaration.doc

10030787 013109

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

Page 1 of 2
Docket No. NEX87/PCT-US

As a below named inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name.

I believe I am the sole, original and first inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **HIGH AFFINITY TGFB NUCLEIC ACID LIGANDS AND INHIBITORS**, the specification of which:

- ☐ is attached hereto.
☒ was filed on **JULY 26, 2000** as United States Application Serial No. _____ or PCT International Application Number **PCT/US00/20397** and was amended on January 11, 2002 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 USC §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Number: _____ Country: _____ Date Filed: (day/mo/yr) _____ Priority not claimed ☐
I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Application Number: _____ Filing Date: (mo/day/yr) _____
I hereby claim the benefit under 35 USC §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 USC §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Number: _____ Filing Date: (mo/day/yr) _____ Status - patented, pending, abandoned
09/363,939 07/29/1999 Pending

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Barry J. Swanson, #33,215	Rosemary Kellogg, #39,726	James L. Brown, #48,576
Thomas D. Bratschun, #32,966	Darla G. Yoerg, #48,053	Steven N. Hird, #P-51,112
Margaret M. Wall, #33,462	Dan Shifrin #34,473	Diane Cruz, #33,960
Max D. Hensley, #27,043	Mark Bosse, #35,071	
CUSTOMER NO: 25,871		
Address all telephone calls to:	Barry J. Swanson at telephone number 303-268-0066	
Address all correspondence to:	Barry J. Swanson	
	Swanson & Bratschun, L.L.C.	
	1745 Shea Center Drive, Suite 330	
	Highlands Ranch, Colorado 80129	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): **NIKOS PAGRATIS**

Inventor's signature: _____
Residence: Boulder, Colorado
Post Office Address: 5813 North Orchard Creek Circle
Boulder, Colorado 80301

Date: _____
Citizenship: US

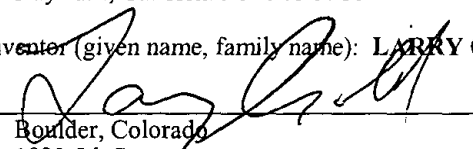
■ Additional inventors are being named on separately numbered sheets attached hereto

Full name of second joint inventor (given name, family name): **MICHAEL LOCHRIE**

Inventor's signature: _____
Residence: Hayward, California
Post Office Address: 3374 Creekview Court
Hayward, California 94541-3581

Date: _____
Citizenship: US

Full name of third joint inventor (given name, family name): **LARRY GOLD**

Inventor's signature:  _____
Residence: Boulder, Colorado
Post Office Address: 1033 5th Street
Boulder, Colorado 80302

Date: 11/24/02
Citizenship: US

S:\Client Folders\NeXstar\Nex87\PCT\US\Declaration.doc

10030787-01403

RECORDATION FORM COVER SHEET
PATENTS ONLY

OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

NIKOS PAGRATIS; MICHAEL LOCHRIE;
LARRY GOLD

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

01/22/02; 01/26/02; 01/24/02

Execution Date: _____

2. Name and address of receiving party(ies)

Name: GILEAD SCIENCES, INC.

Internal Address: 333 Lakeside Drive
Foster City, California 94404

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

10/030,787

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Barry J. Swanson
Swanson & Bratschun, L.L.C.
1745 Shea Center Drive, Suite 330
Highlands Ranch, Colorado 80129

6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41).....\$

- ☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number:

22-0277

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Rosemary Kellogg

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and documents:

WHEREAS, the undersigned inventor(s) (referred to, collectively, if more than one, as "Assignor") have made an invention entitled **High Affinity TGFβ Nucleic Acid Ligands and Inhibitors** for which an application for United States Letters Patent was filed on **July 26, 2000, as PCT International Application No. PCT/US00/20397**, and

NOW, THEREFORE, Assignor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby sell, assign, convey and transfer unto Assignee all right, title and interest in and to the above identified invention and application, together with all corresponding foreign applications and patents which may be filed thereon, including the right to claim priority from the above identified United States application; and Assignor hereby agrees that Assignor will sign all lawful papers, including, without limitation, all divisional, continuation, renewal, extension and reissue applications, and make all rightful oaths in execution thereof, and will generally do everything possible to aid Assignee, its successors, assigns and nominees to obtain and enforce proper protection for the invention in all countries, this obligation to be binding upon Assignor (each and severally, if more than one) and upon Assignor's personal representative or other legal successor.

My Commission Expires 02/04/2004

Date: _____

Address:

Michael Lochrie
3374 Creekview Court
Hayward, California 94541-3581

STATE OF _____)
) ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2002, by **Michael Lochrie**.

Witness my hand and official seal.

My commission expires: _____

Notary Public

Date: _____

Address:

Larry Gold
1033 5th Street
Boulder, Colorado 80302

STATE OF _____)
) ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2002, by **Larry Gold**.

Witness my hand and official seal.

My commission expires: _____

Notary Public

S:\Client Folders\NeXstar\Nex87\PCT\US\Assignment.doc

Date: _____

Address: _____

Michael Lochrie
3374 Creekview Court
Hayward, California 94541-3581

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2002, by **Michael Lochrie**.

Witness my hand and official seal.

My commission expires: _____

Notary Public

Date: _____

Address: _____

Larry Gold
1033 5th Street
Boulder, Colorado 80302

STATE OF Colorado)
) ss.
COUNTY OF Boulder)

The foregoing instrument was acknowledged before me this 24 day of Jan., 2002, by **Larry Gold**.

Witness my hand and official seal.

My commission expires: 4/7/02

Cathryn A. Nelson
Notary Public



S:\Client Folders\NeXstar\Nex87\PCTV\Assignment.doc

ASSIGNMENT

WHEREAS, the undersigned inventor(s) (referred to, collectively, if more than one, as "Assignor") have made an invention entitled **High Affinity TGFB Nucleic Acid Ligands and Inhibitors** for which an application for United States Letters Patent was filed on **July 26, 2000**, as **PCT International Application No. PCT/US00/20397**, and

WHEREAS, **GILEAD SCIENCES, INC.**, a Delaware corporation ("Assignee") having a place of business at **333 Lakeside Drive, Foster City, California 94404** desires to acquire all right, title and interest in and to the above identified invention and application;

NOW, THEREFORE, Assignor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby sell, assign, convey and transfer unto Assignee all right, title and interest in and to the above identified invention and application, together with all corresponding foreign applications and patents which may be filed thereon, including the right to claim priority from the above identified United States application; and Assignor hereby agrees that Assignor will sign all lawful papers, including, without limitation, all divisional, continuation, renewal, extension and reissue applications, and make all rightful oaths in execution thereof, and will generally do everything possible to aid Assignee, its successors, assigns and nominees to obtain and enforce proper protection for the invention in all countries, this obligation to be binding upon Assignor (each and severally, if more than one) and upon Assignor's personal representative or other legal successor.

IN TESTIMONY WHEREOF, the undersigned Assignor (and each of them, if more than one) has signed below.

Date: _____

Address: _____

Nikos Pagratis
5813 North Orchard Creek Circle
Boulder, Colorado 80301

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2002, by **Nikos Pagratis**.

Witness my hand and official seal.

My commission expires: _____

Notary Public

ASSIGNMENT

WHEREAS, the undersigned inventor(s) (referred to, collectively, if more than one, as "Assignor") have made an invention entitled **High Affinity TGFβ Nucleic Acid Ligands and Inhibitors** for which an application for United States Letters Patent was filed on **July 26, 2000**, as **PCT International Application No. PCT/US00/20397**, and

WHEREAS, **GILEAD SCIENCES, INC.**, a Delaware corporation ("Assignee") having a place of business at **333 Lakeside Drive, Foster City, California 94404** desires to acquire all right, title and interest in and to the above identified invention and application;

NOW, THEREFORE, Assignor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby sell, assign, convey and transfer unto Assignee all right, title and interest in and to the above identified invention and application, together with all corresponding foreign applications and patents which may be filed thereon, including the right to claim priority from the above identified United States application; and Assignor hereby agrees that Assignor will sign all lawful papers, including, without limitation, all divisional, continuation, renewal, extension and reissue applications, and make all rightful oaths in execution thereof, and will generally do everything possible to aid Assignee, its successors, assigns and nominees to obtain and enforce proper protection for the invention in all countries, this obligation to be binding upon Assignor (each and severally, if more than one) and upon Assignor's personal representative or other legal successor.

IN TESTIMONY WHEREOF, the undersigned Assignor (and each of them, if more than one) has signed below.

Date: _____

Address: _____

Nikos Pagratis

5813 North Orchard Creek Circle
Boulder, Colorado 80301

STATE OF _____)

) ss.

COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2002, by **Nikos Pagratis**.

Witness my hand and official seal.

My commission expires: _____

Notary Public

Date: 1/26/2002

Michael A. Lochrie

Address:

Michael Lochrie
3374 Creekview Court
Hayward, California 94541-3581

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2002, by **Michael Lochrie**.

Witness my hand and official seal.

My commission expires: _____

Notary Public

Date: _____

Address:

Larry Gold
1033 5th Street
Boulder, Colorado 80302

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2002, by **Larry Gold**.

Witness my hand and official seal.

My commission expires: _____

Notary Public

S:\Client Folders\NeXstar\Nex87\PCT\US\Assignment.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

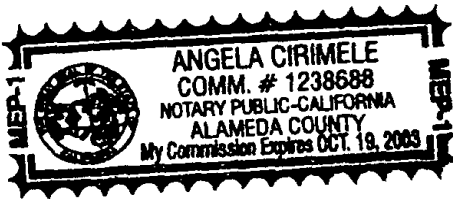
COUNTY OF Alameda

SS.

On January 26, 2002 before me, the undersigned, a Notary Public in and for said State personally appeared Michael Lochrie

Name of Signer

☐ Personally known to me OR ☒ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



(Area above for official notarial seal)

Witness my hand and official seal.

Angela Cirimele
Signature of Notary

Angela Cirimele
Name (Typed or Printed)

Capacity Claimed by Signer

- ☒ Individual(s)
☐ Corporate Officer(s) - Title(s) _____

☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other: _____

Signer is Representing: Name of person(s) or Entity(ies) _____

Description of Attached Document

(Although this information is optional, it could prevent fraudulent attachment of this certificate to another document.)

This certificate is for attachment to the document described below:

Title or type of document _____

Assignment

Number of pages two

Date of document not dated

Signer(s) other than named above _____

N/A